

ESTTA Tracking number: **ESTTA356553**

Filing date: **07/06/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92049533
Party	Plaintiff Pacific Sunwear of California, Inc.
Correspondence Address	MATTHEW D. MURPHEY GORDON & REES LLP 2100 ROSS ANVEUNE, SUITE 2800 DALLAS, TX 75201 UNITED STATES EJaegers@gordonrees.com, MMurphey@gordonrees.com
Submission	Withdrawal of Cancellation
Filer's Name	Matthew D. Murphey
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Signature	/s/Matthew D. Murphey
Date	07/06/2010
Attachments	PSUN-Kira-Withdrawal & RFD.pdf (3 pages)(14066 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 3,352,727
Registered December 11, 2007

PACIFIC SUNWEAR OF)	
CALIFORNIA, INC.,)	Cancellation No.: <u>92049533</u>
)	
Petitioner and)	Mark: Kira Plastinina
Counterclaim Respondent,)	
)	
v.)	Registration No.: 3,352,727
)	
KIRA PLASTININA STYLE, LTD.,)	Filed: December 18, 2006
)	
Registrant and)	Registered: December 11, 2007
Counterclaim Petitioner.)	

**WITHDRAWAL AND REQUEST FOR DISMISSAL OF CANCELLATION
PROCEEDING AND COUNTERCLAIMS**

1. Petitioner/Counterclaim Respondent Pacific Sunwear of California, Inc. (“Pac Sun”) filed a lawsuit against Registrant/Counterclaim Petitioner Kira Plastinina Style, Ltd. (“Kira Plastinina”) styled *Pacific Sunwear of California, Inc. v. Kira Plastinina Style, Ltd. KP Fashion Co. and Pink Square Co.*, Cause No. 08-cv-1141 (JVS)(ANx) (the “Lawsuit”). The Lawsuit was filed in the United States District Court for the Central District of California.

2. The Lawsuit occasioned the suspension of the above-styled matter.

3. Although the Lawsuit is still pending as to another defendant, it has been dismissed with prejudice as to Registrant/Counterclaim Petitioner Kira Plastinina.

4. Therefore, Pursuant to 37 CFR § 2.114(c), TBMP § 601.02, Pac Sun, through its counsel of record, hereby withdraws and requests the dismissal of the above-captioned cancellation proceeding with prejudice.

5. Kira Plastinina, through its counsel of record, hereby withdraws and requests the dismissal of its counterclaims in the above-captioned proceeding, also with prejudice.

6. Should the Board require additional information, the parties will attempt to promptly provide all such information.

Dated: July 6, 2010.

Respectfully submitted by:

GORDON & REES LLP

/s/Matthew D. Murphey

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**ATTORNEYS FOR PETITIONER
PACIFIC SUNWEAR OF CALIFORNIA, INC.**

PINK SQUARE COMPANY

/s/ Cindy Tran

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**ATTORNEY FOR REGISTRANT
KIRA PLASTININA STYLE, LTD**

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that the above document was filed electronically with the Trademark Trial and Appeal Board on this the 6th day of July, 2010.

/s/Matthew D. Murphey
Matthew D. Murphey

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been served on counsel for the Registrant/Counterclaim Petitioner via E-mail and via certified U.S. Mail, return receipt requested, on this the 6th day of July, 2010:

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